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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,298	09/27/2003	Yi Sheng Chen	4097JT	1507

7590
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07/27/2004

EXAMINER

BELLINGER, JASON R

ART UNIT PAPER NUMBER

3617

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,298

Applicant(s)

CHEN, YI SHENG

Examiner

Jason R Bellinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/27/03
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Schad et al. Schad et al shows a wheel having a wheel rim that includes a plurality of orifices **M** formed therein, and including an inner surface. Each of the orifices **M** is defined with at least one engaging flange. A plurality of spokes **H** is attached to the rim. A plurality of latches **J** each includes a bore formed therein to receive the spokes **H**. Each of the latches **J** includes a base with a shape corresponding to the orifice **M** of the rim, thus allowing the base of the latches **J** to be engaged through the orifice **M** of the rim.

Each of the latches **J** further include a catch **L** disposed on the base with an outer contour no greater than that of the base, allowing the catch **L** to be engaged through the orifices **M** of the rim. The catches **L** include at least one cut off portion to define at least one engaging surface and at least one tongue **K**. The catches **L** are engageable with the orifices **M** when the latches **J** are rotated relative to the rim to engage the flange of the rim with at least one cut off portion and at least one tongue **K** portion of the catches **L** to thus anchor the base of the latch **J** to the rim.

The latches **J** include a first fastener extended from the catch **L**, and a second fastener **N** is threaded to the first fastener to secure the latch **J** to the rim.

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3. Claims 1, and 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Shermeister. In Figure 7, Shermeister shows a wheel having a wheel rim 24 that includes a plurality of orifices formed therein, and including an inner surface. Each of the orifices is defined with at least one engaging flange. A plurality of spokes 25 is attached to the rim 24. A plurality of latches 43 each includes a bore formed therein to receive the spokes 25. Each of the latches 43 includes a base with a shape corresponding to the orifice of the rim 24, thus allowing the base of the latches 43 to be engaged through the orifice of the rim 24.

Each of the latches 24 further include a catch disposed on the base with an outer contour no greater than that of the base, allowing the catch to be engaged through the orifices of the rim 24. The catches include at least one cut off portion to define at least one engaging surface and at least one tongue. The catches are engageable with the orifices when the latches 43 are rotated relative to the rim 24 to engage the flange of the rim 24 with at least one cut off portion and at least one tongue portion of the catches to thus anchor the base of the latch 43 to the rim 24.

The spokes 25 include a barrel 32 secured thereto and engaged with the bore of the latches 43, respectively. Each of the barrels 32 includes a screw hole formed therein, while the spokes 25 include a threaded end 31 to be threaded into the screw holes of the barrels 32 to secure the spokes 25 to the barrels 32. The barrels 32 further include an enlarged head 34 to engage with the latches 43 to anchor the spokes 25 to the latches 43.

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references are considered to show wheels having spokes secured to a rim through a latch member. For example, Nickerson shows a wheel of the type described above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason R Bellinger whose telephone number is 703-308-6298. The examiner can normally be reached on Mon - Thurs (9:00-4:30).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Morano can be reached on 703-308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason R Bellinger
Examiner
Art Unit 3617



jrb



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